

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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|--|---|-----------------------------------|
| JAMES C. GOSTOMSKI, | : | Civil No. 1:21-CV-597 |
| | : | |
| Plaintiff | : | |
| | : | |
| v. | : | |
| | : | |
| KILOLO KIJAKAZI, | : | (Magistrate Judge Carlson) |
| Acting Commissioner of Social Security¹, | : | |
| | : | |
| Defendant | : | |

ORDER

Accordingly, for the reasons set forth in the accompanying Memorandum opinion, IT IS ORDERED that the plaintiff's request for a new administrative hearing is GRANTED, the final decision of the Commissioner denying this claim is VACATED, and this case is REMANDED to the Commissioner to conduct a new administrative hearing pursuant to 42 U.S.C. § 405(g). IT IS FURTHER ORDERED that final judgment should be entered in favor of the plaintiff and against the Commissioner of Social Security.

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Accordingly, pursuant to Rule 25(d) of the Federal Rules of Civil Procedure and 42 U.S.C. § 405(g) Kilolo Kijakazi is substituted for Andrew Saul as the defendant in this suit.

So ordered this 30th day of August 2022.

S/Martin C. Carlson

Martin C. Carlson

United States Magistrate Judge